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FORT LAUDERDALE CITY COMMISSION
MARCH 5, 2002**

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**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE, FLORIDA
March 5, 2002**

Meeting was called to order at 6:05 P.M. by Mayor Naugle on the above date, City Commission Meeting Room.

Roll call showed:

Present: Commissioner Tim Smith (6:17)
Commissioner Carlton B. Moore (6:07)
Commissioner Cindi Hutchinson
Commissioner Gloria Katz
Mayor Jim Naugle

Absent: None

Also Present:	City Manager	F. T. Johnson
	City Attorney	Dennis E. Lyles
	City Clerk	Lucy Masliah
	Sergeant At Arms	Sergeant Roddy

Invocation was offered by *Pastor Louis Abel*, Trinity Lutheran Church.

Pledge of Allegiance to the Flag.

Motion made by Commissioner Katz and seconded by Commissioner Hutchinson that the agenda and minutes of the meeting as shown below be approved:

Regular Meeting February 26, 2002

Roll call showed: YEAS: Commissioners Hutchinson, Katz and Mayor Naugle. NAYS: none.

Note: All items were presented by Mayor Naugle unless otherwise shown, and all those desiring to be heard were heard. Items discussed are identified by the agenda number for reference. Items not on the agenda carry the description "OB" (Other Business).

At 6:07 P.M., Commissioner Moore arrived at the meeting.

Presentations (OB)

1. Expressions of Sympathy

Mayor Naugle presented an Expression of Sympathy, on behalf of the City Commission, to the family of *Athenia Dohm*.

2. Smoke Detector

Commissioner Katz demonstrated the proper method of testing the batteries in a smoke detector and encouraged everyone at home to do the same.

3. Purchasing Month

Commissioner Hutchinson read aloud and presented a proclamation declaring March, 2002 as “*Purchasing Month*” in the City of Fort Lauderdale. Kirk Buffington, Purchasing Director, accepted the proclamation on behalf of the Purchasing Division. He recognized several members of his staff.

4. USS Bulkeley

Mayor Naugle introduced *Mr. Joseph Cobo*, who presented a plaque to the Mayor and Fire Chief Otis Latin in commemoration of the USS Bulkeley’s first visit to Fort Lauderdale.

At 6:17 P.M., Commissioner Smith arrived at the meeting.

5. Outstanding City Employees

The following individuals were recognized as Outstanding City Employees:

- Silas Brock, Damond Harrell and Jennifer Brown, of the Administrative Services Department;
- Maurice Murray, of the Community and Economic Development Department;
- Detectives Jack DiCristofalo and Stan Ragin, and the staff of the Evidence Unit, of the Police Department; and
- “City Manager’s Above and Beyond Award” to Shawn Salvi of the Parking Services Division.

Consent Agenda (CA)

The following items were listed on the agenda for approval as recommended. The City Manager reviewed each item and observations were made as shown. The following statement was read:

Those matters included under the Consent Agenda are self-explanatory and are not expected to require review or discussion. Items will be enacted by one motion; if discussion on an item is desired by any City Commissioner or member of the public, however, that item may be removed from the Consent Agenda and considered separately.

Event Agreement – 5K Fun Run and Walk (M-1)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with **Pro Series, Inc.** to indemnify, protect, and hold harmless the City from any liability in connection with the **5K Fun Run and Walk** to be held **Sunday, May 5, 2002 from 7:00 a.m. to 10:00 a.m.** at Snyder Park; and further authorizing the closing of S.W. 4 Avenue from S.W. 28 Street to Perimeter Road from 7:00 a.m. to 10:00 a.m. on the event day.

Recommend: Motion to approve.

Exhibit: Memo No. 02-308 from City Manager.

Event Agreement – Walk to Cure Diabetes (M-2)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with the **Juvenile Diabetes Research Foundation** to indemnify, protect, and hold harmless the City from any liability in connection with the **Walk to Cure Diabetes** to be held **Saturday, March 23, 2002 from 6:00 a.m. to 3:00 p.m.** at Snyder Park; and further authorizing the closing of S.W. 4 Avenue from S.W. 28 Street to Perimeter Road from 7:30 a.m. to 8:30 a.m. on the event day.

Recommend: Motion to approve.

Exhibit: Memo No. 02-307 from City Manager.

Event Agreement – Pre Saint Patrick’s Party (M-3)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with the **Old Town at Riverwalk Merchants Association** to indemnify, protect, and hold harmless the City from any liability in connection with the **Pre Saint Patrick’s Party** to be held **Thursday, March 14, 2002 from 5:00 p.m. to 11:00 p.m.**; and further authorizing the closing of S.W. 2 Avenue from S.W. 2 Street to the Riverwalk from 2:00 p.m. Thursday, March 14, to 6:00 a.m. Friday, March 15, 2002 (leaving S.W. 2 Street completely open).

Recommend: Motion to approve.

Exhibit: Memo No. 02-306 from City Manager.

Event Agreement – St. Patrick’s Day Party (Waxy O’Connor’s Inc.) (M-4)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with the **Waxy O’Connor’s Inc.** to indemnify, protect, and hold harmless the City from any liability in connection with the **St. Patrick’s Day Party** to be held **Sunday, March 17, 2002 from 10:00 a.m. to 11:00 p.m.** at 1095 S.E. 17 Street.

Recommend: Motion to approve.

Exhibit: Memo No. 02-303 from City Manager.

Event Agreement – St. Patrick’s Day Party (Sly Fox of Broward) (M-5)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with **Sly Fox of Broward** to indemnify, protect, and hold harmless the City from any liability in connection with the **St. Patrick’s Day Party** to be held **Saturday, March 16, 2002 from 7:00 a.m. to 11:00 p.m.; and Sunday, March 17, 2002 from 7:00 a.m. to 11:00 p.m.** at Danny’s Sly Fox, 3537 Galt Ocean Drive.

Recommend: Motion to approve.

Exhibit: Memo No. 02-305 from City Manager.

Event Agreement – Las Olas Wine and Food Festival (M-6)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with the **American Lung Association** to indemnify, protect, and hold harmless the City from any liability in connection with the **Las Olas Wine and Food Festival** to be held **Thursday, March 21, 2002 from 7:00 p.m. to 9:00 p.m.**; and further authorizing the closing of East Las Olas Boulevard from S.E. 6 Avenue to S.E. 11 Avenue, and S.E. 8 Avenue, S.E. 9 Avenue, and S.E. 10 Terrace from East Las Olas Boulevard north and south to the alley on each side from 3:00 p.m. to 10:00 p.m. on the event day.

Recommend: Motion to approve.

Exhibit: Memo No. 02-304 from City Manager.

Warbler Wetland Natural Area (Prospect Road) Master Plan (M-7)

A motion approving the Master Plan for the Warbler Wetland Natural Area (Prospect Road).

Recommend: Motion to approve.

Exhibit: Memo No. 02-193 from City Manager.

**Disbursement of Funds –
Joint Investigation – O. R. No. 00-143384 - \$3,561.45 U. S. Currency (M-8)**

A motion authorizing the equitable disbursement of funds in the amount of \$237.43 to each of the 15 participating task force agencies.

Recommend: Motion to approve.

Exhibit: Memo No. 02-2-7 from City Attorney.

**Disbursement of Funds –
Joint Investigation – O. R. No. 00-109364 - \$5,705.98 U. S. Currency (M-9)**

A motion authorizing the equitable disbursement of funds in the amount of \$380.39 to each of the 15 participating task force agencies.

Recommend: Motion to approve.

Exhibit: Memo No. 02-2-8 from City Attorney.

Disbursement of Funds –

Joint Investigation – O. R. No. 99-68586 - \$26,098.70 U. S. Currency (M-10)

A motion authorizing the equitable disbursement of funds in the amount of \$1,739.91 to each of the 15 participating task force agencies.

Recommend: Motion to approve.

Exhibit: Memo No. 02-2-9 from City Attorney.

Disbursement of Funds –

Joint Investigation – O. R. No. 99-68586 - \$11,458.70 U. S. Currency (M-11)

A motion authorizing the equitable disbursement of funds in the amount of \$763.91 to each of the 15 participating task force agencies.

Recommend: Motion to approve.

Exhibit: Memo No. 02-2-10 from City Attorney.

Disbursement of Funds –

Joint Investigation – O. R. No. 01-74954 - \$14,997.35 U. S. Currency (M-12)

A motion authorizing the equitable disbursement of funds in the amount of \$999.82 to each of the 15 participating task force agencies.

Recommend: Motion to approve.

Exhibit: Memo No. 02-2-11 from City Attorney.

Disbursement of Funds –

Joint Investigation – O. R. No. 99-103897 - \$331,119.78 U. S. Currency (M-13)

A motion authorizing the equitable disbursement of funds in the amount of \$19,477.63 to each of the 17 participating task force agencies.

Recommend: Motion to approve.

Exhibit: Memo No. 02-2-12 from City Attorney.

Lease Agreement – City County Credit Union –

Police Internal Affairs Office at 634 N.E. 3 Avenue (M-14)

A motion authorizing the proper City officials to execute the renewal of a lease agreement with the City County Credit Union for the Police Internal Affairs Office located at 634 N.E. 3 Avenue.

Recommend: Motion to approve.

Exhibit: Memo No. 02-235 from City Manager.

Annual Joint Funding Agreement – U.S. Geological Survey (M-15)

A motion authorizing the proper City officials to execute the annual joint funding agreement with the U.S. Geological Survey.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 02-205 from City Manager.

Sanitary Sewer Agreement – Hibiscus, LLC (M-16)

A motion authorizing the proper City officials to execute a sanitary sewer agreement with Hibiscus, LLC to connect to the City's existing wastewater transmission system located on S.W. 12 Avenue just north of State Road 84.

Recommend: Motion to approve.

Exhibit: Memo No. 02-281 from City Manager.

Sanitary Sewer Agreement – The Salvation Army (M-17)

A motion authorizing the proper City officials to execute a sanitary sewer agreement with The Salvation Army to connect to the City's existing wastewater transmission system located on Broward Boulevard at S.W. 9 Avenue.

Recommend: Motion to approve.

Exhibit: Memo No. 02-301 from City Manager.

Sanitary Sewer Agreement – Waverly Court Townhomes, LLC..... (M-18)

A motion authorizing the proper City officials to execute a sanitary sewer agreement with Waverly Court Townhomes, LLC to connect to the City's existing wastewater transmission system located at S.W. 2 Street and S.W. 9 Avenue.

Recommend: Motion to approve.

Exhibit: Memo No. 02-280 from City Manager.

**Transfer of Water and Sewer Funds -
Lauderdale Manors Sanitary Sewer Project Design (M-19)**

A motion authorizing the transfer of \$50,000 from the Water and Sewer Fund to the General Fund for overtime costs associated with the Lauderdale Manors Sanitary Sewer project design.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 02-217 from City Manager.

**Change Order No. 3 – Majestic Group Enterprises, Inc. -
Project 10168 - Lauderdale Manors Swale Improvements, Phase II (M-20)**

A motion authorizing the proper City officials to execute Change Order No. 3 with Majestic Group Enterprises in the amount of \$28,909.57 for the Lauderdale Manors swale improvements, Phase II.

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 02-223 from City Manager.

**Transfer from General Fund Contingencies -
Consultant for Historic Property Designation Surveys (M-21)**

A motion authorizing the proper City officials to transfer \$50,000 from General Fund Contingencies to the Construction Services Bureau account for the purpose of hiring a consultant to update the current historic surveys and other tasks related to the historic properties in the City.

Funds: Transfer \$50,000 from General Fund Contingencies to PBS020207/3199
(Other Professional Services)

Recommend: Motion to approve.

Exhibit: Memo No. 02-259 from City Manager.

PURCHASING AGENDA

RFP 722-8461 – Auctioneering Services (Pur-1)

A one-year contract for auctioneering services is being presented for approval by the Administrative Services Department.

Recommended Award: Rene Bates Auctioneers, Inc.

McKinney, TX

Amount: \$ 30,000.00 (estimated)

Bids Solicited/Rec'd: 25/5

Exhibits: Memorandum No. 02-276 from City Manager

The Procurement and Materials Management Division recommends award to the first ranked proposer.

State Contract – Purchase of One Pickup Truck**(Pur-2)**

An agreement to purchase one pickup truck is being presented for approval by the Administrative Services, Fleet Services Division.

Recommended Award: Heintzelman's Truck Center, Inc.
Orlando, FL
Amount: \$ 12,476.00
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 02-233 from City Manager

The Procurement and Materials Management Division recommends to approve the purchase from the Florida State Contract.

RFP 222-8611 – Reject all Proposals for Public Address System**(Pur-3)**

An approval to reject all proposals for the public address system at various fire stations is being presented by the Fire-Rescue Department.

Bids Solicited/Rec'd: 51/5 with 4 no bids
Exhibits: Memorandum No. 02-262 from City Manager

The Procurement and Materials Management Division reviewed this item and supports the recommendation to reject all proposals.

Bid 682-7994 – Change Order/Increase Encumbrance for Gate Valves**(Pur-4)**

An agreement to increase encumbrance for gates valves is being presented for approval by the Public Services Department.

Recommended Award: SEMSCO
Davie, FL
Amount: \$ 40,000.00
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 02-272 from City Manager

The Procurement and Materials Management Division reviewed this item and supports the recommendation to approve the change order.

Bid 722-8626 – Contract for Curbside Recycling Bins

(Pur-5)

A one-year contract for curbside recycling bids is being presented for approval by the Public Services, Sanitation Division.

Recommended Award: Ameri-Kart Corp.
Goddard, KS
Amount: \$ 38,300.00 (estimated)
Bids Solicited/Rec'd: 50/5 with 5 no bids
Exhibits: Memorandum No. 02-219 from City Manager

The Procurement and Materials Management Division recommends award to the low responsive and responsible bidder.

Bid 222-8633 – Two-Year Contract/Database Search Information

(Pur-6)

A two-year contract for unlimited access to database search information is being presented for approval by the Police Department.

Recommended Award: Lexis Nexis
Davie, FL
Amount: \$ 31,500.00 (annual total)
Bids Solicited/Rec'd: 65/2 with 3 no bids
Exhibits: Memorandum No. 02-250 from City Manager

The Procurement and Materials Management Division recommends award to the low responsive and responsible bidder.

Mayor Naugle announced that Consent Agenda **Item Nos. M-15 and M-19** had been **deleted** from the agenda and would not be considered this evening.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson that Consent Agenda Item No. M-21 be deleted from the Consent Agenda and considered separately, and that all remaining Consent Agenda Items be approved as recommended. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz and Mayor Naugle. NAYS: none.

Commissioner Hutchinson wished to thank Howard Allen, of the Las Olas Association, for the great job he had done with an event this weekend. Commissioner Moore noted that the Walk to Cure Diabetes was scheduled for March 23, 2002, and he encouraged everyone to contribute and to participate.

**Transfer from General Fund Contingencies –
Consultant for Historic Property Designation Surveys (M-21)**

Commissioner Katz believed a list of historic properties had been developed several years ago, and a lot of people had become scared and tore down buildings before they could be designated as historically significant. She wanted an action plan developed that would not make it difficult for owners to preserve such buildings. Mayor Naugle was not aware of a single house demolished as a result of that original notification letter. However, he agreed some incentives should be developed, such as property tax relief, assistance with repairs, etc., and various measures had been recommended by the Historic Preservation Board, the Fort Lauderdale Historical Society, and other advocates of preservation.

Mayor Naugle thought the Historic Preservation Board would be well suited to develop an action plan. Commissioner Smith understood the idea was to present this task to the Board before notification letters were sent out again. Commissioner Katz agreed that was the idea, and she understood some money had been set aside by Florida Atlantic University (FAU) for historic identification. Mayor Naugle hoped other governmental agencies would consider property tax relief to encourage historic preservation. Commissioner Smith agreed that would be a great incentive.

Motion made by Commissioner Smith and seconded by Commissioner Moore that Consent Agenda Item No. M-21 be approved as recommended and as discussed. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

MOTIONS

Those matters included under the Motions category differ from the Consent Agenda in that items will be voted on individually. In addition, presentations will be made on each motion item if so desired.

**Proposed Lien Settlements for
Special Master and Code Enforcement Board Cases (M-22)**

A motion authorizing the proposed lien settlements for the following Special Master and Code Enforcement Board cases:

1. 9100558 – Ronald A. Parsons and Beverly A. Parsons, 1124 N.W. 17 Avenue (\$1,000)
2. CE99040133 – Emilio Camacho and Digna Camacho, 1116 S.W. 24 Avenue (\$3,880)
3. CE98120769 – Michael O. Martin, 15 N.E. 6 Street (\$7,700)
4. CE98120770 – Alexander L. Cox and Rickey T. Cox, 11 N.E. 6 Street (\$9,000)
5. CE0071211 – Sandra Jackie Withrow, 300 S.W. 11 Court (\$890)
6. CE99060106 – Jean R. Francois, 1205 N.E. 5 Avenue (\$2,040)
7. CE99070120 and CE99051699 – Andre B. Tonico and Marie C. Tonico, 1545 N.W. 15 Terrace (\$3,263.25)
8. CE99090796 – Steven Rutkowski, 1730 N.E. 63 Court (\$5,420)
9. CE0060076 – United Mortgage CB LLC, 1609 N.W. 7 Place (\$3,785.50)

Motion made by Commissioner Moore and seconded by Commissioner Smith to approve the lien settlements as recommended, with the exception of Item 3 (CE98120769). Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz and Mayor Naugle. NAYS: none.

3. CE98120769 – Michael O. Martin, 15 N.E. 6 Street (\$7,700)

Mr. Michael Martin stated that there had been two buildings side by side and, in 1998, the City had requested certain improvements. In 1999, he had retained a general contractor and obtained permits. During the process, there was a hurricane that had delayed the process, and he had been informed by professionals that the fines would be abated when the property was brought into compliance. Mr. Martin advised that approximately \$50,000 in fines had accrued, and he had spent more than \$40,000 on repairs. He asked the Commission for leniency as he had worked diligently, and the hurricane had caused a lot of problems.

Commissioner Smith believed Hurricane Irene had stalled off the coast, and he wondered who had led Mr. Martin to believe that the fines would be abated. Mr. Martin replied that he had relied on his general contractor, but he had started coming to the meetings himself after a couple of years.

Commissioner Smith thought there was a problem with the system because fines grew to outrageous amounts, and they were always negotiated. The citizens did not seem comfortable with the idea of allowing a fine to grow to \$50,000 and settle for \$7,000, and he felt someone should take a look at the system. He preferred that fines be imposed when appropriate and the full amount collected.

Commissioner Smith said the property had looked terrible for as long as he could remember, and there had not been a blade of grass or a bush planted. Mr. Martin said that was not true. He stated that there was grass, trees, shrubbery and a sprinkler system, which had been completed three or four months ago. Commissioner Smith asked Mr. Martin how long he had owned the property, and he replied he had owned it for about 20 years. Commissioner Smith said he had lived in the neighborhood for 12 years, and this building had looked atrocious for as long as he could remember. He did not feel the building had been managed responsibly.

Mr. Martin agreed it had not been the most aesthetically pleasing building in the area, but the violations had nothing to do with aesthetics. Rather, the violations had involved work without permits. Commissioner Smith read aloud the violations that had been cited.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to approve this lien settlement as recommended for \$7,700. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

**Development Order – Florida Department of Transportation
(FDOT)/Cypress Creek Park and Ride Associates,
Limited Partnership, Lessee – Lightspeed Broward Center
Development of Regional Impact (DRI) (PZ Case No. 109-R-00[02]) (PH-1)**

At the January 23, 2002, the City Commission approved by a vote of 5-0 the consideration of an ordinance for this application for first reading on March 5, 2002; and at the February 20, 2002 Planning and Zoning Board regular meeting, it was recommended by a vote of 5-2 that the following application be approved. Notice of public hearing was published January 4, 2002 and February 23, 2002.

Applicant: FDOT/Cypress Creek Park and Ride Associates, Limited Partnership,
Lessee
Request: Development order for the Lightspeed Broward Center DRI
Location: Area south of Cypress Creek Road, north of 60 Street, east of Andrews
Avenue and west of I-95, also known as the FDOT Park and Ride Facility

Motion made by Commissioner Moore and seconded by Commissioner Smith to defer first reading to March 19, 2002 at 6:00 p.m. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz and Mayor Naugle. NAYS: none.

CITIZEN PRESENTATIONS

Note: Citizen Presentations appear on the Regular Agenda of the first meeting of the month and are limited to a maximum of three (3) minutes per presentation, for a total not to exceed five (5) presentations per month.

-
- *Mr. Virgil Niederriter* – Community Issues

Mr. Niederriter did not make an appearance.

Amendment to Pay Plan (O-1)

An ordinance was presented amending the Pay Plan of the City providing for new classes, a title change, a class code number change, and the deletion of a class in Schedule I; and providing for the deletion of a class in Schedule II. Ordinance No. C-02-4 was published February 16, 2002, and was approved on first reading on February 26, 2002 by a vote of 5-0.

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-02-4

AN ORDINANCE AMENDING THE PAY PLAN OF THE CITY OF FORT LAUDERDALE, FLORIDA PROVIDING FOR NEW CLASSES, A TITLE CHANGE, A CLASS CODE NUMBER CHANGE, AND THE DELETION OF A CLASS IN SCHEDULE I; AND PROVIDING FOR THE DELETION OF A CLASS IN SCHEDULE II.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz and Mayor Naugle. NAYS: none.

Demolition of Buildings (R-1)

At the January 17, 2002 Unsafe Structures and Housing Appeals Board meeting, it was recommended that the following buildings be demolished and the properties be assessed with the appropriate costs:

1. 1616 N.W. 5 Avenue
2. 2311 N.W. 6 Place

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 02-33

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ORDERING THE DEMOLITION OF THE BUILDING OR BUILDINGS UPON EACH PROPERTY LEGALLY DESCRIBED IN THE ATTACHED SCHEDULE "A," BECAUSE OF NON-COMPLIANCE WITH THE SOUTH FLORIDA BUILDING CODE.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz and Mayor Naugle. NAYS: none.

Appointment of Special Masters (R-2)

A resolution was presented approving the reappointment of Richard E. Connor, M. Daniel Futch Jr., Floyd V. Hull, Meah Rothman Tell, and Karen M. Zann as Special Masters for the City for a period of one year.

Commissioner Hutchinson had heard some concerns from neighborhoods. She inquired about the terms of the special masters and the process that was utilized. Ms. Lori Milano, Community Inspections Director, stated that these appointments were for a period of one year. Commissioner Hutchinson asked if new special masters were recruited. Ms. Milano replied that two new special masters had been recruited about two years ago, but some new special masters could be recruited. Commissioner Hutchinson asked how much they were paid, and Ms. Milano replied they were paid \$75 per hour.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 02-34

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPOINTING RICHARD E. CONNOR, M. DANIEL FUTCH, FLOYD V. HULL, MEAH ROTHMAN TELL AND KAREN M. ZANN AS SPECIAL MASTERS FOR THE CITY OF FORT LAUDERDALE.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz and Mayor Naugle. NAYS: none.

State Road A-1-A – Pedestrian/Bicycle Pathway Enhancements (R-3)

A resolution was presented urging Broward County to elevate the priority of State Road A-1-A into the list of Top Five (5) corridors for implementation of the Pedestrian/Bicycle Pathways. Mayor Naugle recalled discussion about also having other cities, such as Lauderdale-By-The-Sea and Pompano Beach, to adopt similar resolutions. Commissioner Katz asked if someone would approach the County in this regard. Mayor Naugle believed that would be part of the City Manager's strategy to obtain funding and have these areas added to the list. The City Manager said he would advise the County about passage of this resolution and report back to the Commission.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 02-35

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, URGING THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY TO AMEND THE BROWARD COUNTY GREENWAYS SYSTEM PLAN TO ADD STATE ROAD A1A AS A PRIORITY CORRIDOR FOR THE FUNDING OF PEDESTRIAN AND BICYCLE PATHWAYS.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz and Mayor Naugle. NAYS: none.

Citrus Canker Eradication Program (OB)

A resolution was presented opposing Senate Bill 1926 and House Bill 1539, relating to the Citrus Canker Eradication Program.

Commissioner Smith introduced a written resolution entitled:

RESOLUTION NO. 02-36

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, OPPOSING SENATE BILL 1926 AND HOUSE BILL 1539, RELATING TO THE CITRUS CANCER ERADICATION PROGRAM AND THE ISSUANCE OF COUNTY-WIDE SEARCH WARRANTS; AND FURTHER OPPOSING PRACTICES OR REGULATIONS OF THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES THAT WOULD AUTHORIZE ENTRY ON TO PRIVATE PROPERTY WITHOUT AN APPROPRIATE SEARCH WARRANT.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

Advisory Board Appointments (OB)

The City Clerk announced the appointees/reappointees who were the subjects of this resolution:

Cemeteries Board of Trustees

Willard "Bill" Burpee

Marine Advisory Board

Norbert McLaughlin

Nuisance Abatement Board (Alternate)

Yvonne Burton
(subsequently declined)

Commissioner Smith introduced a written resolution entitled:

RESOLUTION NO. 02-37

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT
LAUDERDALE, FLORIDA, APPOINTING BOARD MEMBERS AS SET FORTH
IN THE EXHIBIT ATTACHED HERETO AND MADE A PART HEREOF.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz and Mayor Naugle. NAYS: none.

Konover Site – County Commission Action (OB)

Commissioner Moore stated that there was an area of approximately 100' that had been annexed into the CRA boundary that had been under the jurisdiction of Broward County. He advised that this particular 100' caused difficulties because the County wanted to change the methodology associated with CRAs. He understood the County Commission was insisting on some changes, and he had discussed it with Commissioner Rodstrom. Commissioner Moore thought they had reached agreement that the County would not impose conditions on this 100', but the Board of County Commissioners had a different position.

Commissioner Moore said he had thought there would be a three-year period in which the developer would have to obtain permits and allow this 100' to be brought in without any attachments. In discussing it with Commissioner Rodstrom, that term had been extended to five years. However, the proposal had been changed when it went to the County Commission. Commissioner Moore explained that since five years would be allowed to obtain permits, the entire CRA boundary would be open to negotiation if that did not occur.

Commissioner Moore wanted to continue working with the County Commission and staff on this 100', and he understood the County would provide a written document. He hoped there could be additional negotiations before that document was executed. Commissioner Moore added that City staff had asked that the item be pulled from the County Commission agenda, but he had thought agreement had been reached.

Mayor Naugle understood Commissioner Rodstrom supported the negotiated agreement, but there was not consensus on the part of the County Commission. Commissioner Moore was hopeful it could be worked out. Mayor Naugle wondered if there was a way to handle the development so the majority that was in the CRA would be treated one way and the rest would be treated another way so the development could go forward as proposed. Commissioner Moore noted that there would be additional opportunities through the Legislature over the next four or five months. He was hopeful that some compromise could be reached, however.

Mayor Naugle hoped that if a compromise could not be reached, staff could devise a method to facilitate the development, perhaps by separating out that area. Commissioner Moore did not want to do anything that would compromise the developer's interests.

At 6:57 P.M., Mayor Naugle adjourned the meeting.

Jim Naugle
Mayor

ATTEST:

Lucy Masliah
City Clerk